



MEMO ENDORSED

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February 13, 2023

VIA ECF

Honorable Edgardo Ramos
United States District Judge
Southern District of New York
40 Foley Square
New York, N.Y. 10007

City Defendant's request to stay all discovery deadlines until May 8, 2023, except for the question of the identity of the Jane Doe police officer, is granted. SO ORDERED.

A handwritten signature in blue ink, appearing to read "Edgardo Ramos".

Edgardo Ramos, U.S.D.J
Dated: February 21, 2023
New York, New York

Re: Rahul Sharma v. The City of New York, et. al.,
21-CV-10892 (ER)

Your Honor:

I am an Assistant Corporation Counsel in the Office of Honorable Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, representing defendants City of New York, Bill De Blasio, Dermont Shea, Terence Monahan, Stephen Latalardo, Brianna Carlo, and Michael Ashford (hereinafter “City Defendants”) in the above-referenced action. City Defendants write to respectfully request that the Court stay the instant matter until May 8th, 2023 because the undersigned has been selected for jury duty. Plaintiff’s counsel does not consent to this request.

By way of background, plaintiff alleges that, on May 31, 2020, while at or around the intersection of 40th Street and 6th Avenue in Manhattan lawfully participating in a protest, an officer shoved plaintiff into and over another officer with a bicycle. *See Civil Docket ¶ 1.* Plaintiff further alleges that, although plaintiff stood up, apologized, and began to leave, Latalardo ordered officers to “collar him and fucking arrest him.” *Id.* Plaintiff further alleges that he was handcuffed and was later given summonses and released from custody. *Id.* Plaintiff now brings claims for, *inter alia*, false arrest, excessive force, malicious prosecution, and *Monell*. *Id.*

On February 9, 2023, the undersigned was selected for grand jury duty and, upon information and belief, will be engaged for three months - from February 14th, 2023 to May 5th, 2023. I am expected to be in Court every day during this time period, during the majority of the work day, and will have limited access to my email.

City Defendants respectfully submit that plaintiff will not be prejudiced in any way if Your Honor is inclined to grant this request. To date, initial disclosures have already been exchanged. As part of initial disclosures, City Defendants’ have produced relevant documents including, but

not limited to, the summonses at issue, the certificate of dispositions, the notice of claim, the 50-h transcript, and several body-worn camera videos. With the exception of one police officer (Jane Doe #1), plaintiff's counsel is aware of the identity of the other defendants in this case. As such, there does not appear to be any issue or concern regarding the statute of limitation. Moreover, fact discovery is not scheduled to close until May 30, 2023.

As such, defendants respectfully request that the Court stay the instant matter until May 8th, 2023.¹ Thank you for your consideration herein.

Respectfully submitted,



Felix De Jesus
Assistant Corporation Counsel
Special Federal Litigation Division

cc: **VIA ECF**
All attorneys of record

¹ Magistrate Judge Cheryl L. Pollack granted a similar stay request in the matter of Ramsey Smith v. The City of New York, et. al., 21-CV-4157 (HG) (CLP).